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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92057135
Party	Defendant Nidal Haddadin
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Submission	Answer
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

IN THE MATTER OF Trademark Registration No: 4,027,086  
For the mark HALO;  
Registered on September 13, 2011

TRIDENT GROUP, LLC,	)	
	)	
	)	
v.                      Petitioner,	)	
	)	Cancellation No: 92057135
	)	
NIDAL HADDADIN,	)	
	)	
_____ Registrant.	)	

**REGISTRANT'S ANSWER TO PETITION FOR CANCELATION**

Registrant, Nidal Haddadin, for its answer to the *Petition for Cancellation* of Petitioner, Trident Group, LLC, answers the specifically numbered paragraphs of the *Petition for Cancellation* and further states as follows:

1.        Registrant denies Petitioner's claim set forth in Paragraph 1 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim that Trident Group, LLC has been using the mark HALO in connection with electronic cigarettes and related products prior to the date of first use in commerce claimed by Registrant. Furthermore, it should be noted that Petitioner is claiming a date of first use in commerce of "at least as early as June 2009," when it (Trident Group, LLC) did not become an active New Jersey limited liability company until October 2009.
2.        Paragraph 2 of the *Petition for Cancellation* does not require a response.
3.        Registrant denies Petitioner's claim set forth in Paragraph 3 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim that it has relied upon common law trademark rights for the mark HALO in the United States (in association with various electronic cigarette products) since at least as early as June 2009.

4. Registrant denies Petitioner's claim set forth in Paragraph 4 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim that its use of the HALO mark has been valid and continuous in the United States since at least as early as June 2009, and that said mark has not been abandoned.

5. Registrant denies Petitioner's claim set forth in Paragraph 5 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim of substantial and continuous use of the HALO mark since at least as early as June 2009.

6. Registrant denies Petitioner's claim set forth in Paragraph 6 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim that the HALO mark is symbolic of the goodwill and consumer recognition built up by Petitioner through substantial time and effort in advertising and promotion.

7. Registrant denies Petitioner's claim set forth in Paragraph 7 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim that its date of first use in commerce is prior to the date of first use in commerce claimed by Registrant. Although Registrant's date of first use in commerce is June 15, 2011 (for shisha tobacco aka hookah tobacco), Registrant has been using the HALO mark for hookah related accessories since December 2008.

8. Registrant denies Petitioner's claim set forth in Paragraph 8 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim that Registrant's HALO mark so resembles Petitioner's mark as to be likely to cause consumer confusion, mistake or deception in violation of Lanham Act § 2(d), 15 U.S.C. § 1052(d). Furthermore, Registrant denies that there is any similarity in the goods of the respective parties that would be likely to cause consumer confusion, mistake or deception. Registrant uses the HALO mark in connection with hookah tobacco and hookah related accessories. Registrant does not use the HALO mark in connection with electronic cigarettes and cartridges for electronic cigarettes.

9. Registrant denies Petitioner's claim set forth in Paragraph 9 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim that Registrant's HALO mark as applied to

goods and services other than those of Petitioner, comprises deceptive matter because it falsely suggests a connection with Petitioner.

10. Registrant denies Petitioner's claim set forth in Paragraph 10 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim that Registrant's continued registration of the HALO mark would be a source of damage and injury to Petitioner. No actual consumer confusion or other instances of damage or injury have been alleged by Petitioner.

11. Registrant denies Petitioner's claim set forth in Paragraph 11 of the *Petition for Cancellation*. Specifically, Registrant denies Petitioner's claim that a cloud will be placed on its title if Registrant is permitted to retain registration of the HALO mark.

WHEREFORE, Registrant respectfully requests dismissal of the *Petition for Cancellation* and such other and further relief as may be just and proper.

Date: June 3, 2013

Respectfully Submitted,

NIDAL HADDADIN,  
Registrant,  
By counsel,

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**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that the *Registrant's Answer to Petition for Cancellation* is being electronically filed using the Electronic System for Trademark Trials and Appeals (ESTTA) on this 3rd day of June 2013.

/Scott R. Weber/  
Scott R. Weber

**CERTIFICATE OF SERVICE**

I hereby certify that on June 3, 2013, I served a copy of the *Registrant's Answer to Petition for Cancellation* on the Petitioner by mailing a copy thereof by U.S. Mail, postage prepaid, addressed to Petitioner's Counsel at their correspondence address of record in the records of the Patent and Trademark Office as follows:

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/Scott R. Weber/  
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